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PATENT  
Customer No. 22,852  
Attorney Docket No. 2887.0268

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
HITOSHI ITO ) Group Art Unit: 2814  
)  
Application No.: 10/802,758 ) Examiner: T. Doan  
)  
Filed: March 18, 2004 ) Confirmation No.: 5319  
)  
For: SEMICONDUCTOR DEVICE AND )  
METHOD FOR MANUFACTURING )  
THE SAME )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement includes a certification as specified by Section 1.97(e).

Japanese Publication No. 2001-44138 listed in this Information Disclosure Statement was first cited in an Office Action issued by the Japanese Patent Office, dated November 15, 2005, in a counterpart foreign application, and this Information Disclosure Statement is being filed within three months of the mailing date of that communication. A copy of the Japanese Office Action is attached.

Copies of the listed foreign and non-patent literature documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

An English-language abstract of the Japanese publication is attached.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: \_\_\_\_\_

12/22/05

By: \_\_\_\_\_

Richard V. Burgujian  
Reg. No. 31,744

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

1

**Complete if Known**

Application Number 10/802,758

Filing Date March 18, 2004

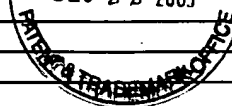
First Named Inventor Hitoshi Ito

Art Unit 2814

Examiner Name T. Doan

Attorney Docket Number 2887.0268

DEC 22 2005

**U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS**

Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-			
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**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.****FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		JP 2001-44138	2/16/01	Hitachi Ltd.		Abstract

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		Office Action issued by the Japanese Patent Office, dated November 15, 2005, for Japanese Patent Application No. 2003-415319	

Examiner  
SignatureDate  
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.